

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BNK ADVISORY GROUP, INC.	:	
2102 Main Street	:	
Northampton, PA 18067	:	
	:	
Plaintiff	:	
vs.	:	
	:	CIVIL ACTION NO. 02-CV-3221
SUNTRUST EQUITABLE SECURITIES	:	
CORPORATION	:	
303 Peachtree Street	:	JURY TRIAL DEMANDED
Atlanta, GA 30308-3201	:	
	:	
Defendant	:	

DEFENDANT SUNTRUST EQUITABLE SECURITIES
CORPORATION'S MOTION TO DISMISS PURSUANT TO 12(b)(1)

Defendant, SunTrust Equitable Securities Corporation (hereinafter SUNTRUST), hereby moves this Court pursuant to Fed.R.Civ.P. 12(b)(1) for an Order dismissing the copyright infringement claims against SUNTRUST for lack of subject matter jurisdiction under 17 U.S.C. 411(a).

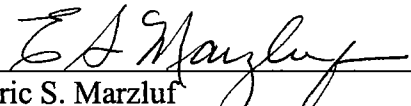
For the reasons set forth in the accompanying Memorandum in Support of the Motion, Defendant's Motion should be granted.

A proposed Order also accompanies this Motion.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

June 10, 2002

By: 
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SUNTRUST EQUITABLE SECURITIES
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that the foregoing DEFENDANT SUNTRUST EQUITABLE SECURITIES CORPORATION'S MOTION TO DISMISS PURSUANT TO 12(b)(1); MEMORANDUM in support thereof and Proposed ORDER have been served on the Plaintiff, by delivery of one (1) true and correct copy of the same via FEDERAL EXPRESS, prepaid, to:

Charles E. Shoemaker, Jr., Esq.
727-729 North 19th Street
Allentown, PA 18104

this 10th day of June, 2002.


Eric S. Marzluf